IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.16613 of 2008
BAHADUR SINGH @ BAHADUR YADAV
Versus
STATE OF BIHAR
---

2. 16.5.2008 Learned counsel is permitted to make necessary correction in paragraph-12 of the application.

Heard.

Petitioner is an accused in a case under section 302 read with 34 of the Indian Penal Code.

The allegation is that four to five persons were fleeing away towards east of the village with deadly weapons. Four to five persons were chasing them. It is said that the fleeing away persons took position in Badhar and started firing indiscriminately on the persons who were chasing them due to which Shanker Tiwary sustained fire arm injury and fell down.

There was counter firing also by the persons who were chasing the miscreants.

Learned counsel submitted that the petitioner is not named in the FIR. No recovery has been made from his position. There is no direct or indirect evidence against the

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petitioner. He submitted that Sri Bhagwan Singh and Narad Singh have been allowed bail by this Court. In this connection he referred to paragraph-11 of the application and submitted that the case of the petitioner is also similarly situated.

In the facts and circumstances of the case, the petitioner, namely Bahadur Singh @ Bahadur Yadav is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Rohtas at Sasaram in Sheosagar PS case no.16/07.

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(M.Saran, J)